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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ESTATE OF FERNANDO CAZARES; MARIA  
CABALLERO,

Plaintiffs,

vs.

SAN MATEO COUNTY; MARK CODY;  
LISANDRO LOPEZ; GREG PITLOCK; and DOES 1  
through 25,

Defendants.

Case No. C-06-1944 MJJ

**STIPULATED MOTION AND**  
**~~[PROPOSED]~~ ORDER TO CHANGE TIME**  
**TO COMPLETE ADR**

Civil L.R. 6-3; ADR L.R. 6-5

1 Pursuant to Local ADR Rule 6-5(a), plaintiffs request that the Court grant additional time to  
2 mediate this matter.

3 By stipulation dated September 14, 2006, the parties mutually agreed to mediation as the form of  
4 ADR under Civil L.R. 16-8 and ADR L.R. 3-5. The parties jointly requested that the Court set May 1,  
5 2007 as the deadline for completion of ADR. On September 25, 2006, the Court accepted the stipulation  
6 and made it an Order, appointing Randolph W. Hall as the mediator.

7 On March 7, 2007, the parties participated in an ADR conference call with the mediator. In  
8 addition to a more general discussion of the issues involved in the case, the primary topic was the  
9 difficulty of scheduling. At that time, plaintiff's counsel indicated that he was likely to be in trial in the  
10 *Escobedo v. City of Redwood City* matter, with which the Court is already familiar. Nevertheless,  
11 because the Court's order set May 1, 2007 as the deadline for completion of ADR, the parties tentatively  
12 set the date of April 18, 2007 for the mediation of this matter.

13 At present, plaintiffs' counsel is still in trial in the *Escobedo v. Redwood City* matter. Moreover,  
14 counsel for plaintiffs also has substantial motion practice over the upcoming weeks in a complex multi-  
15 party case, *Qmect, Inc. v. Judson*, San Mateo County Superior Court Case No. CIV 426631; as well as an  
16 appeal brief due in a complex civil rights case due on May 7.

17 Counsel for defendants is in agreement that mediating under these circumstances would be  
18 unlikely to be productive at this time. Thus, counsel for the defendants do not oppose changing time  
19 pursuant to Civil L.R. 6-3 and ADR L.R. 6-5, and concur in the request.

20 DATED: April 13, 2007

LAW OFFICES OF MARK MARTEL

21  
22 By: /s/ Mark Martel

MARK MARTEL

23  
24 Attorneys for Plaintiffs

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2  
3 IT IS SO STIPULATED.  
4

5 DATED: April 13, 2007

THOMAS F. CASEY III, COUNTY COUNSEL

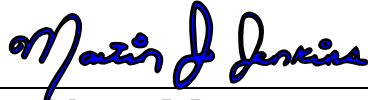
6  
7 By: /s/ Timothy Fox  
TIMOTHY FOX, Deputy

8 Attorneys for Defendant  
9 COUNTY OF SAN MATEO  
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12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 The parties shall complete the mediation by June 29, 2007. The Court's September 25, 2006  
14 order referring the case to mediation remains effective in all other respects.

15 DATED: 4/16/2007

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17 Hon. MARTIN J. JENKINS  
United States District Judge  
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